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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,574	10/24/2003	Bckim Demiroski	MSFT-2847/305642.03	2143
41505 7590 10/19/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER CORRIELUS, JEAN M	
			ART UNIT 2162	PAPER NUMBER
			MAIL DATE 10/19/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Office Action Summary</b></p>	<b>Application No.</b> 10/693,574	<b>Applicant(s)</b> DEMIROSKI ET AL.	
	<b>Examiner</b> Jean M. Corrielus	<b>Art Unit</b> 2162	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-5,18,20,21,38 and 43-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,18,20,21,38 and 43-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This correspondence is in response to the Request For Continued Examination filed on July 20, 2007, in which claims 1, 3-5, 18, 20, 21, 38, and 43-50 are presented for examination..

#### *Continued Examination Under 37 CFR 1.114*

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 20, 2007 has been entered.

#### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1, 3-5, 18, 20, 21, 38, and 43-50 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed. In particular, the claimed feature in claim 1 recite "*defining an initial discrete storable unit of information having a type structure; attaching the extension to the type structure of the initial discrete storable unit of information; and, creating a new discrete*

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*storable unit of information*” are not described in the specification to enable one having ordinary skill in the art to make and use the invention. Such limitation has been further reviewed in light of the specification. However, nowhere in the specification mentions about *defining an initial discrete storable unit of information having a type structure; attaching the extension to the type structure of the initial discrete storable unit of information; and, creating a new discrete storable unit of information*. Specification page 94, paragraph [0335] and [0336] directed to the context of utilization of Items that, to a certain extent, model real-world application objects with complex structures, behaviors and operations described by a schemas and enforced by the hardware/software interface system, wherein the hardware/software provides a mechanism by which Items can be extended using extensions, wherein extensions provide additional data structure to already existing Items type structures. Based on the analysis provided above and substantial evidence or reasoning, the examiner provided that one having ordinary skilled in the art would not recognize in the disclosure a description of the invention defined by the claims. The limitation as claimed in claims 1, 18 and 38 “*defining an initial discrete storable unit of information having a type structure; attaching the extension to the type structure of the initial discrete storable unit of information; and, creating a new discrete storable unit of information*” are not supported by the as-filed disclosure, which is violated the written description requirement. In re Rasmussen, 650 F.2d 1212, 211 USPQ 323 (CCPA 1981). Applicant should duly note that the first paragraph of 35 U.S.C. 112 requires that the “specification shall contain a written description of the invention”. Applicant should also note that the essential goal of the description of the invention requirement is to clearly convey the information that an applicant has invented the subject matter which is claimed; and to put the

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public in possession of what the applicant claims as the invention.” Furthermore, the written description requirement of the Patent Act promotes the progress of the useful arts by ensuring that patentees adequately describe their inventions in their patent specifications in exchange for the right to exclude others from practicing the invention for the duration of the patent's term. Indeed, the specification does not satisfy the written description requirement because the specification does not describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. Amendment to the claim is advised.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-5, 18-21 and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin US Patent No. 6,704,743.

As to claim 1, discloses the claimed “defining an initial discrete storable unit of information having a type structure” (receiving an object, col.20, lines 26-27, wherein the object comprises a class, col. 20, lines 5-27; col.21, lines 23-24.); “defining an extension representative of a desired additional data structure” (a child entity is an extension of a parent entity, which contains a class entity (data structure) in turn contains entity relationship, see col.15, lines 60-65; col.21, lines 62-67; col.23, lines 52-60); and “attaching the extension to the type structure of the initial discrete storable unit of information” (the object entity would extend to provide a defined features list that includes pointers to each feature entity, see col.21, lines 48-55); and creating a new discrete storable unit of information..

As to claim 2, discloses the claimed “wherein said Extension is attached to said Item”(the object is part of the child entity, col.25, lines 39-46).

As to claim 3, discloses the claimed “wherein said extension cannot exist independently from said type structure of said new discrete storable unit of information, col. 25, lines 41-57).

As to claim 4, discloses the claimed “defining a plurality of extensions, wherein each extension is representative of a desired additional data structure” (a child entity is an extension of a parent entity, which contains a class entity (data structure) in turn contains entity relationship, see col.15, lines 60-65; col.21, lines 62-67; col.23, lines 52-60); attaching the extensions to the type structure of the initial discrete storable unit of information (the object entity would extend to

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provide a defined features list that includes pointers to each feature entity, see col.21, lines 48-55)

As to claim 5 discloses the claimed “wherein said plurality of Extensions is used to model overlapping type instances” (col.23, lines 53-60; col.25, lines 26-46, core schema).

As to claims 18-21:

Claims 18-21 are system for performing the method of claims 1-5 above. They are, therefore, rejected under the same rationale.

As to claim 38:

Claim 38 is a computer readable medium comprising computer readable instructions for performing the method of claim 1 above. It is, therefore, rejected under the same rationale.

43. (New) The method of claim 1, wherein the initial discrete storable unit of information is an Item.

44. (New) The method of claim 1, wherein the initial discrete storable unit of information is a Nested Element.

45. (New) The method of claim 1, wherein the extension represents a specified property.

46. (New) The method of claim 1, wherein the extension represents a specified relationship.

47. (New) The hardware/software interface system of claim 18, wherein the initial discrete storable units of information are Items.

48. (New) The hardware/software interface system of claim 18, wherein the initial discrete storable units of information are Nested Elements.

49. (New) The hardware/software interface system of claim 18, wherein the extensions represent a specified property.

50. (New) The hardware/software interface system of claim 18, wherein the extensions represent a specified relationship.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032.

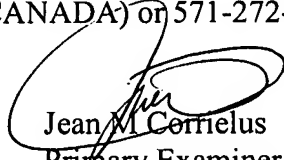
The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jean M. Cornelius  
Primary Examiner  
Art Unit 2162

October 15, 2007